

City of Evansville Common Council
Regular Meeting
City Hall, 31 S Madison St, Evansville WI 53536
Tuesday, May 10th, 2022, 6:00 p.m.

Minutes

1. **Call to order**-The meeting was called to order by Duggan at 6:01 pm
2. **Roll call**

Members	Present/Absent	Others Present
Aldersperson, Jim Brooks	A	City Administrator, Jason Sergeant
Aldersperson, Cory Neeley	P	Community Development Director, Colette Spranger
Aldersperson, Ben Corridon	P	City Clerk, Darnisha Haley
Mayor, Dianne Duggan	P	Deputy Clerk, Leah Hurtley
Aldersperson, Ben Ladick	P	Other Members of General Public
Aldersperson, Susan Becker	P	
Aldersperson, Gene Lewis	P	
Aldersperson, Joy Morrison	P	
Aldersperson, Erika Stuart	P	

3. **Approval of agenda**-Lewis made a motion, seconded by Morrison to approve the agenda as presented. Motion passed 6-0.
4. **Candidate Review for Aldermanic District 4**
 - A. Applicants opening statement
 - 1) Ben Corridon
 - 2) Mike Siwek-Withdrawn
 - B. Council review of applicants letter of interest and potential questions
 - C. Becker made a motion, seconded by Ladick to appoint Ben Corridon to the Aldermanic District 4 seat. Motion passed 6-0 on a roll call vote.
 - D. Administer Oath of Office
5. **Approval of Minutes**-Morrison made a motion, seconded by Ladick to waive the reading of the minutes of the April 12th, 2022 and April 19th, 2022 meetings with one change to the April 12th minutes section 6B3ii. Motion approve 7-0.
6. **Civility reminder**-Recognition of the commitment to civility and decorum at council meeting.
7. **Citizen appearances other than agenda items listed.**
 - A. Ron Gay would like to commend the construction crew on the street improvement projects. He would like to suggest that the Council say the Pledge of Allegiance and prayer before the start of the meeting. He also like to suggest that the Christian flag be

flown on the City Hall flag pole during the month of Easter since the Pride flag is flown in June.

8. Reports of Committees

A. Library Board Report

General Updates

- The library is hiring for the position of library aide. This is a part-time position and interested applicants must apply by Sunday, May 15.
- Circulation is up compared to the same time period last year (21%)
 - April 2022 was higher than April 2021 with a 14.77% increase
- Our business planning kits are now available for checkout. The kits include a Chromebook, hotspot, and free access to LivePlan business software. These kits are funded through an American Recovery Plan Act (ARPA) grant received by Rock County.

Program Updates

- Our first book club meeting at Ceili will take place next week. This partnership was established before COVID began, and we are excited to finally try it out.
- Carol Culbertson will give a presentation on barn quilts next week as a part of our Community Quilt Project series.

B. Youth Center Advisory Board Report-Becker reported that the youth center is focusing on this year's fundraising. Becker also reported that there will be no duck derby this year but the board is working on having a float for the 4th of July parade. The EYC is also looking to hire a new youth center coordinator.

C. Plan Commission Report

- 1) Becker made a motion, seconded by Morrison to approve a Lot Line Adjustment between Parcels 6-27-445 and 6-27-498 and create no new parcels, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the condition the applicant files the final Plat of Survey with the Rock County Register of Deeds. Motion passed 7-0.
- 2) Becker made a motion, seconded by Ladick to approve conditional approval of a preliminary certified survey map to combine and divide parcels 6-27-595 and 6-27-595.1 into two lots located at 515 E Main Street, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, subject to the following conditions:
 - a. Applicant submits a final CSM prepared by a registered land surveyor that includes the requirements to Section 110-101 of the Municipal Code.
 - i. Adjust the lot lines of proposed Lot 1 to extend past the parking lot and into the rear yard of the property, allowing for residential use of green space.
 - ii. Indicate location of and include "joint driveway access by other instrument" on the CSM.
 - b. The applicant submits a joint maintenance and cross access easement agreement, which will indicate standards and responsibilities for landscaping,

lawn care, and snow removal in shared areas. This will also identify parking and loading spaces for each lot within the existing parking lot.

- c. The applicant applies for a Conditional Use Permit is acquired to allow a two-family residence on proposed Lot 1.
- d. The final CSM is recorded with Rock County Register of Deeds.

Becker made a motion, seconded by Ladick to amend the original motion amending item 8C2C to read “The applicant applies for a variance and Conditional Use Permit is acquired to allow a two-family residence on proposed Lot 1.” Motion passed 7-0

Vote on original motion passed 7-0.

- 3) Becker made a motion, seconded by Neeley to approve Ordinance 2022-07 Rezone Parcel 6-27-148 to B-3 Motion passed 7-0.
- 4) The Plan Commission approves the site plan to expand an outdoor seating/dining area at Creekside Place and conditional use application to allow for an outdoor food and beverage service, on parcel 6-27-148 per sections 130-104 and 130-538 of the Municipal Code, and that the proposed use is consistent with the required standards and criteria of the Zoning Ordinance, and that the benefits in fact outweigh any and all potential adverse impacts, subject to the following conditions:
 - a. Four street trees are planted in the Maple Street and Church Street terrace and 400 points of landscaping added to the site no later than August 1st, 2022.
 - b. Minimum 5’ wide walkway installed no later than August 1st, 2022 that connects main entrance to public sidewalk at Church Street.
 - c. Applicant agrees to accommodate future city request for a trail easement along east property line, along Allen Creek.
 - d. Drainage, grading and lighting plans approved by City Engineer.
 - e. All exterior lighting is dark sky compliant.
 - f. Exterior events held no later than 9:30pm.
 - g. Use cannot create a public nuisance as defined by local and state law.
- 5) Becker made a motion, seconded by Neeley to approve Ordinance 2022-08 Rezone Parcel 6-27-580 to R-2. Motion passed 7-0.
- 6) Becker made a motion, seconded by Morrison to approve the preliminary certified survey map to divide parcel 6-27-580 into four lots, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, subject to the following conditions:
 - a. Applicant submits a final certified survey map and application that includes the requirements to Section 110-101 of the Municipal Code.
 - b. The applicant submits a joint maintenance and cross access easement agreement for the four newly-created lots and reserve road right-of-way for a future extension of Exodus Pass.
 - c. Private well and septic systems will be sited and will conform to standards set by the State of Wisconsin.
 - d. One well and one septic system will be allowed per lot created by this CSM.

- e. Further division of any lot created by this CSM is contingent upon serviceability by City utilities. Future lots created will conform to the standards of the R-2 zoning district.
- f. Future land divisions of these lots must show the building envelope of future dwelling units.
- g. Upon development of Exodus Pass:
 - i. The City shall give the landowner 48 months' notice to connect to City sanitary sewers. Upon abandonment of the septic system, the tanks shall be remediated per Sec 126-360 and 126-361 of the Municipal Code
 - ii. Landowner will release the right-of-way easement and joint access and maintenance agreement for any driveway serving the property.
 - iii. The landowner will install sidewalks and driveways meeting the standards of the Municipal Code.
- h. The final CSM is recorded with Rock County Register of Deeds.

Becker made a motion, seconded by Ladick to amend the original motion amending item 8C6b striking Exodus Pass and replacing it with Public Roadway & 8C6g striking development of Exodus Pass and replacing it with availability of city services. Motion passed 7-0.

Vote on original motion with passed 7-0.

- 7) Becker made a motion, seconded by Morrison to approve the Amendment to the Final Land Divider's Agreement-Settler's Grove. Motion passed 7-0 on a roll call vote.
- 8) Review of draft Comprehensive Plan chapters, community survey results.

D. Finance and Labor Relations Committee Report

- 1) Ladick made a motion, seconded by Morrison to accept the April 2022 City bills as presented in the amount of \$2,826,819.31. Motion passed 7-0 on a roll call vote.
- ~~2) Discussion and recommendation to Common Council to approve the updated Youth Center Coordinator position description. This item was stricken from the agenda.~~
- ~~3) Discussion and recommendation to Common Council to approve the updated Youth Center Director position description. This item was stricken from the agenda.~~
- 4) Discussion on the Badgerland Disposal fuel surcharge that has been activated due to the increased fuel process.

E. Public Safety Committee Report-Stuart reported there were a total of 964 police calls for the month of April. The Police is now has containers to take sharps. Stuart also reported that the EMS Chief as resigned, she is able to stay on and help out with a maximum of 10 hours a week. Stuart would also like council to starting thinking about considering an on premises position for EMS as call volumes are not decreasing.

- 1) Stuart made a motion, seconded by Morrison to approve the Renewal Alcohol Beverage License Applications for a **Class A Beer/Class A Liquor License** for:

(approved by Police Lieutenant Chris Jones unless otherwise noted) Motion passed 7-0 on a roll call vote.

- i) **Casey's Marketing Company, Anthony W. Hawks, Agent**, 538 Biese Street, Combined Locks, WI 54113, d/b/a Casey's General Store # 3583, 230 E. Main Street, Evansville, WI 53536.
 - ii) **Kopecky's Worldwide Foods, Inc., James Dean Kopecky, Agent**, 8017 N. Ridge Court, Evansville, WI, 53536, d/b/a Kopecky's Piggly Wiggly, 8 N. County Road M, Evansville, WI 53536.
 - iii) **Madison Street Express, Inc., Parminder K. Sekhon, Agent**, 2644 Granite Road, Fitchburg, WI 53711, d/b/a All-N-One, 104 S. Madison Street, Evansville, WI 53536.
 - iv) **Olin Oil Co. Inc., Kristin Olin Olmedo, Agent**, 603 E 2nd Avenue, Brodhead, WI 53520, d/b/a Evansville Gas N Go, 350 Union Street, Evansville, WI 53536.
- 2) Stuart made a motion, seconded by Becker to approve the Renewal Alcohol Beverage License Application for a **Class A Beer License** for: (approved by Police Lieutenant Chris Jones unless otherwise noted) Motion passed 7-0 on a roll call vote.
- i) **Landmark Services Cooperative, Jessica Golz, Agent**, 6909 N Cty Rd M #65, Evansville, WI 53536, d/b/a Cenex Convenience Store of Evansville, 9 John Lindemann Drive, Evansville, WI 53536.
- 3) Stuart made a motion, seconded by Becker to approve the Renewal Alcohol Beverage License applications for a **Class B Beer/Class B Liquor License** for: (approved by Police Chief Reese unless otherwise noted) Motion passed 7-0 on a roll call vote.
- i) **Bessire Bowl, LLC, Tiffany Bessire, Agent**, 221 Noah's Arc Ct, Evansville, WI 53536, d/b/a Blue Devil Bowl, 108 E. Main Street, Evansville, WI 53536.
 - ii) **Creekside Place Inc., Nicholle L Wagner, Agent**, 14246 W Golf Air Drive, Evansville, WI 53536, d/b/a Creekside Place Inc., 102 Maple Street, Evansville, WI 53536.
 - iii) **The Night Owl Food & Spirits Inc., Gregory P Ardisson, Agent**, 217 N. Sixth Street, Evansville, WI 53536, d/b/a The Night Owl Sports Pub & Eatery, 189 E. Main Street, Evansville, WI 53536.
 - iv) **Pete's Inn Inc., Linda A Church, Agent**, 555 S. Fifth Street, Evansville, WI 53536, d/b/a Pete's Inn Inc., 14 N. Madison Street, Evansville, WI 53536.
 - v) **Whiskey Throttle Bar, Grill & Pizzeria Inc, DeeAnna K Straub, Agent**, 1002 1st Center Ave, Brodhead, WI 53520, d/b/a Whiskey Throttle Bar, Grill & Pizzeria, 50 Union Street, Evansville WI 53536.
 - vi) **El Vallarta De Evansville, Marco Antonio Lugo Valencia, Agent**, 438 Almeron St, WI 53536, d/b/a El Vallarta, 609 E Main Street, Evansville WI 53536.
 - vii) **Evansville Memorial Post 6905 VFW, John L Schneider, Agent**, 15542 W. Francis Road, Evansville, WI 53536, d/b/a VFW Memorial Post, 179 E. Main Street, Evansville, WI 53536.

- 4) Stuart made a motion, seconded by Becker to approve the Renewal Alcohol Beverage License Application for a **Class B Beer and Class C Wine License** for: (approved by Police Lieutenant Chris Jones unless otherwise noted) Motion passed 7-0 on a roll call vote.
 - i) **Angel's Pizza, LLC, Michael Barcena Agent**, 204 CTH D, Belleville, WI 53508, d/b/a Marsala's Pizzeria, 18 E. Main Street, Evansville, WI 53536.
 - ii) **The Grove Market, LLC, Jennifer D. Wiedel, Agent**, 112 W. Liberty Street, Evansville, WI 53536, d/b/a The Grove Market, 24 E. Main Street, Evansville, WI 53536.
 - iii) **Ceili, LLC, Shannon R. Arndt, Agent**, 414 Meadow Lane, Evansville, WI 53536, d/b/a Ceili Coffee and Wine, 16 W. Main Street, Evansville, WI 53536.

- F. **Municipal Services Report**-Ladick reported the winter moratorium has ended and disconnection notices were sent out. Ladick also reported there staff did their quarterly review of sewer credits.
 - 1) Ladick made a motion, seconded by Morrison to approve the contract with Interstate Power systems to perform the city's general generator maintenance through 2024. Motion passed 7-0 on a roll call vote.
 - 2) Ladick made a motion, seconded by Becker to approve the Lake Leota Dam repair alternate bid, pending DNR approval, from Highway Landscapers Inc totaling \$247,340. Motion passed 7-0 on a roll call vote.

- G. **Economic Development Committee**-Ladick reported that the committee discussed the Economic Development section of the Comprehensive Plan.

- H. **Parks and Recreation Board Report**-Lewis reported the bathrooms in the park are now open and the work for the dam repairs will being on June 15th. There will be a stock of minnows added to the lake to feed the fish. The dog park will be closed for a couple of week so that gravel and ground stabilizer can be added to the entrance to help with the heavy traffic.

- I. **Historic Preservation Commission**-Lewis reported the following:
 - 1) 225 W Liberty- Application to replace windows-Approved
 - 2) 125 Garfield-Application to replace carriage house windows- Tabled application pending additional information.
 - 3) 129 E Main- Fence Application-Tabled pending additional information..
 - 4) 34 N Second St-Replacement window work was done without an application. The work was denied and requesting to it be restored to the previous appearance.
 - 5) 14 Railroad- Demo application with new proposal. The application was approved.

- J. **Fire District Report**-Stuart reported the Fire Chief brought up the idea of having a full time paid employee on the fire board and in the firehouse on a daily basis. This also brought up a discussion to combine Fire and EMS. The fire calls continue to go up and fire has been helping EMS with lifts.

- K. **Police Commission Report**-Did not meet

- L. **Energy Independence Team Report**-Did not meet

- M. **Board of Appeals Report**-Did not meet

9. **Unfinished Business**

A. Becker made a motion, seconded by Neeley approve Ordinance 2022-06 Rezoning Two Parcels to R-1. Motion passed 7-0.

10. **Communications and Recommendations of the Administrator**-Sergeant reported the park and pool project that is out for bid had the deadline extended to Thursday (May 12th). There are 2 possibly 3 potential bidders for the project. There is a special meeting scheduled on Tuesday May 17th at 5:30 to go over the bids. The first review of applications for the Clerk Position is occurring and it's expected to begin interviews next week. City Hall has been having issues with the phone and internet. Computer Know How is replacing the police server and moving the city hall server to the city hall building. Routers and switches will be replaced while they are swapping out the servers. It is believed that these changes will not correct the issues at City Hall as it is a service issue from Charter. City Hall staff will be aggressively contacting Charter whenever the service goes down so that they can come out and do some probing.

A. Ladick made a motion, seconded by Morrison to approve the Weights & Measures inspection agreement. Motion passed 7-0 on a roll call vote.

B. Ladick made a motion, seconded by Stuart to approve Resolution 2022-16 Authorized Signers. Motion passed 7-0.

11. **Communications and Recommendations of the Mayor**-Duggan would like to thank council for their patience during this time. Duggan reported that there has been some concerns on how information is communicated with the community. Although the information is available citizens may not know where to find this information. Duggan also reported that and electric rate study will need to be done in the near future as the rates haven't changed since 2012. One thing that will need to be done as a collective is communicate the value of what is done and the value of those rates and provide context for the changes.

12. **New Business**-None

13. **Introduction of New Ordinances**-None

14. **Meeting Reminder**

A. Special meeting May 17th, 2022 5:30 p.m.

B. Regular meeting June 14th, 2022 6:00 p.m.

15. **Closed Session**: Neeley made a motion, seconded by Morrison that Common Council convene in closed session pursuant to Sec.19.85(1)(c) of the Wis. Stats considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Upon completion, Common Council will not reconvene in open session. Motion passed 7-0 on a roll call vote at 7:45.

16. **Adjournment**- Neeley made a motion, seconded by Becker to adjourn the closed session meeting at 7:52 pm. Motion passed 7-0.

Darnisha Haley, City Clerk

The minutes are not official until approved by the Common Council at the next regular meeting.